

Not for Publication

**UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY**

UNITED STATES OF AMERICA,

Plaintiff,

v.

VICTORIA HORVATH,

Defendant.

Criminal Action No. 15-0400-1

ORDER

It appearing that:

1. Before the Court is defendant Victoria Horvath’s (“Defendant”) motion for compassionate release pursuant to 18 U.S.C. § 3582(c)(1)(A). (D.E. No. 471 (“Def. Mov. Br.”)). Defendant is a prisoner at the Federal Correctional Institution, Danbury (“Danbury FCI”). (*Id.* at 1). She argues that the COVID-19 pandemic, her medical conditions, and the conditions at the Danbury FCI create extraordinary and compelling reasons to release her from imprisonment and place her on home confinement. (*See generally* Def. Mov. Br.). Specifically, Defendant seeks to return to her family home in Belleville, New Jersey. (*See* D.E. No. 473 (“Gov. Opp. Br.”)). However, Defendant’s motion does not include a release plan.

2. The Government opposes Defendant’s motion for compassionate release, arguing, *inter alia*, that Defendant’s family home is where she “previously orchestrated [the] oxycodone distribution” of which she was convicted. (Gov. Opp. Br. at 21–22). The Government states that six of her co-conspirators also currently live in that home. (*Id.* at 22). Moreover, the Government argues that nine adults and two children currently live in the family house, which has only three

bedrooms and two bathrooms. (*Id.* at 24). Given the ongoing pandemic, the Government argues that Defendant fails to show that she will be safer at her family home if she were released. (*Id.*).

3. The Government raises legitimate concerns, and the Court needs more information before it rules on Defendant's motion for compassionate release.

Accordingly, IT IS on this 28th day of August 2020,

ORDERED that the United States Probation and Pretrial Services, based on records gathered from its supervision of Defendant's co-defendants and any pertinent information available to these agencies, shall inform the Court no later than September 4, 2020, regarding the person or persons currently living at Defendant's family house in Belleville, New Jersey; such report shall also include any other information that is relevant to Defendant's safety, security, and health, should she be released to the proposed family house.

s/Katharine S. Hayden
Hon. Katharine S. Hayden, U.S.D.J.